THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.21752 of 2005

Date:29.12.2005

Between:

Bharat Das s/o Late Mahant Jagannath Das,

Aged ( ) years, Occ: Mahant,

R/o 22-1-1111, Imlibun, Tothaguda,

M.G.Bus Station, Hyderabad

…. Petitioner

A n d

The Andhra Pradesh State Road Corporation,

Rep. by the General Manager, Musheerabad,

Hyderabad.

… Respondent

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W.P.No.21752 of 2005

ORDER:

Petitioner submitted a representation dated 1.8.2005 to the respondent herein stating, inter alia, that he is the owner of the land in survey Nos.8, 9 and 10 of Thotaguda (Imlibun village) and an extent of Ac.3.38 cents was taken by the respondent for the construction of bus stand. He states that on an earlier occasion, the respondent addressed a letter dated 21.7.1986 calling for the consent of the petitioner and thereafter neither the proceedings were initiated, nor any

compensation was paid. He states that no orders are passed thereon and thereby he is handicapped from pursuing his remedies.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

The writ petition came up for admission on 5.10.2005, the learned Standing Counsel for the respondent was granted time on two occasions to obtain instructions and to file counter. No counter is filed so far.

The question as to whether the petitioner is the owner of the land in question and if so, whether the same ought to have been acquired under the provisions of the Land Acquisition Act, needs to be considered. The respondent is the ultimate beneficiary of the land. It must, at least, inform the petitioner as to the manner in which the land was taken over and the nature of the rights of the petitioner vis-à-vis of the said land. The representation of the petitioner cannot be kept pending indefinitely.

Hence, the writ petition is disposed of directing the respondent to pass appropriate orders on the representation dated 01.8.2005 made by the petitioner and communicate the same to the petitioner within a period of eight weeks from the date of this order. No order as to costs.

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29.12.2005.

mdaa.